

SUMMARY OF THE AMENDMENTS TO THE RULES OF THE STATE BOARD OF WORKERS' COMPENSATION

The 2005 Rules contain organizational, editorial, and substantive changes. This summary is intended as a convenient reference and does not represent an exhaustive description of all rules changes. For detailed information regarding a change(s) to a particular rule, please refer to the published version of the Rule.

Rule 15:

Amended this rule for upcoming ICMS submissions. If filing a stipulation and agreement electronically, Rule 15(a)(1) and 15(a)(3) are amended to not require copies and envelopes. New sections--Rule 15(a)(7) and Rule 15(a)(8)—were created to require supporting documentation to be submitted separately when a settlement agreement is submitted and to permit the Board to send approval electronically.

Rule 40:

Amended the Board's web page address and the addresses for the Columbus and Gainesville offices.

Rule 60:

Section (c) of this rule was amended for the Board's ICMS system and upcoming new claim process. Section (f) was amended to clarify the Board's fax policy.

Section (g) was created to address the legal signature on documents filed electronically with the Board in ICMS.

Board Rule 61:

This rule was generally amended throughout and the corresponding reference to the Board forms in section (b) were renumbered.

****Please note that for Board Form WC-14A and the Form WC-Change of Address they are continuing to be developed in conjunction with the Board's implementation of the paperless ICMS system.**

Board Rule 100:

Section (e) was created to allow for mediation notices to be sent electronically with the implementation of the Board's ICMS system. Subsequent sections are renumbered accordingly.

Board Rule 102:

Section (A) was amended to cite the correct Professional Rules section. Section (D)(1) was amended to direct attorneys and parties to not use tabs with supporting documents filed with motions due to the difficulty in scanning. Also, when filing a motion, parties and attorneys are required to attach a certificate of service. Section (E)(3) was amended to require consolidation of records at hearings and the subsections within (E)(3) were renumbered. Section (F) was amended to prohibit the usage of tabs when submitting documents to the Board.

Board Rule 103:

Section (b)(3) was amended to allow for the Appellate Division to send notices of oral argument by electronic mail when the Board's ICMS system is implemented. Also, (b)(4) was amended to place a 20 page limit on briefs.

Rule 104:

The rule was rewritten in an attempt to clarify the proper procedure for converting an employee's disability benefits from temporary total to temporary partial.

Board Rule 108:

Section (b)(3) was amended to permit blended attorney fees. Section (d) was amended by striking the last sentence.

Board Rule 126:

Amended (a)(2)(ii) to clarify that this applies to licensed insurers. Amended (b)(2) to clarify this section applies to group self-insurer funds.

Rule 200:

Amended (b)(1) to require a certificate of service when filing a change of physician motion/request and objection. Again, the usage of tabs is prohibited.

Rule 200

Created new section (g) to address the taking of a deposition of a medical expert and the applicability of the fee schedule.

Board Rule 200.1:

Amended (a)(4)(ii) regarding the filing of initial rehab reports—60 to 90 days.
Amended (e)(iii) to add designated rehab suppliers.

Rule 203:

Amended (c) to create a subsection (2) regarding the peer review concerning the necessity of and/or reasonableness of medical treatment.

Rule 221:

Amended (a) to rewrite this section regarding payment of benefits.

Rule 226:

Created sections (c) and (d). Section (c) requires a petitioner to let the Board know if the minor resides with the petitioner (Form WC-226 amended as well). Section (d) requires the parties to file with the Board an order from the Probate Court or any other court regarding guardianship.

Rule 262:

Created section (c) to address when to file a Form WC-262.

FORM CHANGES:

The Board has substantially and/or stylistically amended all forms in light of our exciting upcoming ICMS paperless system. As such, when the new forms are available, please review each of them. Until approved and published, please continue to use existing forms.